

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VALERIE PARKER,

Plaintiff,

v.

Case No. 07-14780
Honorable David M. Lawson

DETROIT SPORTSERVICE, INC.,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND GRANTING THE DEFENDANT'S MOTION TO DISMISS**

Presently before the Court is the report and recommendation issued on September 16, 2008 by Magistrate Judge Mona K. Majzoub pursuant to 28 U.S.C. § 636(b)(1)(B) and E.D. Mich. LR 72.1. The defendant filed a motion for summary judgment in this employment discrimination case, and Magistrate Judge Majzoub recommended that this Court grant the defendant's motion for summary judgment which related to the plaintiff's claims of gender discrimination under Title VII of the Civil Rights Act of 1964, disability discrimination under the American with Disabilities Act, and her claim under the Railroad Unemployment Insurance Act, 45 U.S.C. § 351 *et seq.* Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The parties' failure to file objections to the Report and Recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the Magistrate Judge's report releases the Court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the Magistrate Judge.

Accordingly, it is **ORDERED** that the Magistrate Judge's Report and Recommendation [dkt # 39] is **ADOPTED**, and the defendant's motion for summary judgment [dkt # 24] is **GRANTED**.

It is further **ORDERED** that the plaintiff's claims for gender discrimination under Title VII, disability discrimination under the ADA, and violation of Railroad Unemployment Insurance Act, 45 U.S.C. § 351 *et seq.*, be **DISMISSED**.

s/David M. Lawson

DAVID M. LAWSON
United States District Judge

Dated: October 9, 2008

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on October 9, 2008.

s/Felicia M. Moses

FELICIA M. MOSES